

CCASE:
SOL (MSHA) V. PEABODY COAL
DDATE:
19861002
TTEXT:

Federal Mine Safety and Health Review Commission
Office of Administrative Law Judges

SECRETARY OF LABOR,
MINE SAFETY AND HEALTH
ADMINISTRATION (MSHA),
PETITIONER

CIVIL PENALTY PROCEEDING

Docket No. LAKE 83-73
A.C. No. 11-00598-03524

v.

Eagle No. 2 Mine

PEABODY COAL COMPANY,
RESPONDENT

DECISION APPROVING SETTLEMENT

Before: Judge Fauver

This case is before me upon a petition for assessment of civil penalties under section 105(d) of the Federal Mine Safety and Health Act of 1977, 30 U.S.C. 801, et seq. Petitioner has filed a motion to approve a settlement agreement and to dismiss the case. Respondent has filed a response thereto. I have considered the representations and documentation submitted by both parties and I conclude that the proffered settlement is consistent with the criteria in section 110(i) of the Act.

ORDER

WHEREFORE IT IS ORDERED that the motion for approval of settlement is GRANTED and Respondent shall pay the approved penalties in the amount of \$3,000.00 within 30 days of this Decision. Upon such payment this proceeding is DISMISSED.

This Decision and Order were read to counsel for the parties October 2, 1986, and were approved by them before signing below.

William Fauver
Administrative Law Judge